

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

KEVIN JOHN O'BRIEN,

Plaintiff,

v.

TAD A. HEROLD, et al.,

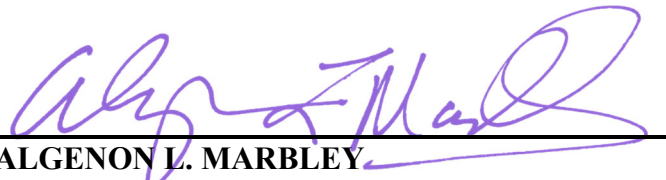
Defendants.

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: **Case No. 2:20-cv-02406**
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: **JUDGE ALGENON L. MARBLEY**
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: **Magistrate Judge Deavers**
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ORDER

This matter is before the Court on a Joint and Unopposed Motion to Drop and Dismiss. (ECF No. 34). Therein, the parties jointly move this Court to dismiss Defendants D. Chris Cook, and Adolfo A. Tomichio (the "Board Defendants"), from this action, pursuant to Fed. R. Civ. P. 21. (*Id.*). Plaintiff and Board Defendants agree that Plaintiff's claims against Board Defendants should be dismissed with prejudice and dismissal will not result in prejudice to the Defendants. (*Id.*, at 2). Accordingly, for good cause shown, the parties' Motion (ECF No. 34) is **GRANTED** and Board Defendants are hereby **DISMISSED** with prejudice. As such, the Board Defendants' pending motions to dismiss (ECF No. 9, 33) are **DENIED as moot**.

IT IS SO ORDERED.


ALGENON L. MARBLEY
UNITED STATES DISTRICT JUDGE

DATED: March 3, 2024